



STATE OF CONNECTICUT
JUDICIAL BRANCH

CHAMBERS OF
PATRICK L. CARROLL III
CHIEF COURT ADMINISTRATOR

231 CAPITOL AVENUE
HARTFORD, CT 06106

Testimony of the Judicial Branch
Judiciary Committee Public Hearing
March 18, 2016

H.B. 5495, An Act Concerning Enhanced Penalties for Threatening a Judge

Thank you for the opportunity to present written testimony today on behalf of the Judicial Branch regarding H.B. 5495, *An Act Concerning Enhanced Penalties for Threatening a Judge*. We very much appreciate the co-chairs proposing this bill and attached to this testimony are some suggested changes to the language.

We don't believe that judges as individuals are entitled to be treated differently than other members of the public. We are concerned, however, about the court system as an institution, and our judges embody that institution.

Our Constitution guarantees free speech, even if it is critical or offensive. Our judges believe in the First Amendment, have upheld it as a constitutional right and recognize that criticism goes with the job of being a judge. However, when free speech crosses over to a threat, then that is a different matter entirely. Language that is designed to intimidate, harass and put someone in fear of his or her life should not be tolerated. Such language is an assault on the rule of law.

On behalf of the Judicial Branch and all of our judges, I want to again thank you for your concern about their safety and your commitment to the rule of law.

**Suggested Amendment to
H.B. 5495, An Act Concerning Enhanced Penalties for Threatening a Judge**

Strike lines 20 to 22, inclusive, in their entirety and insert the following in lieu thereof:

"violates subdivision (1) or (3) of this subsection and the subject is a family support magistrate, family support magistrate referee or a judge of any court either elected or appointed, and the threat is related to the subject's official duties as a family support magistrate, family support magistrate referee or judge."

In line 23, strike "federal judge."

Strike lines 46 to 48 inclusive, in their entirety and insert the following in lieu thereof:

"this subsection and the subject of the threat is a family support magistrate, family support magistrate referee or a judge of any court either elected or appointed, and the threat is related to the subject's official duties as a family support magistrate, family support magistrate referee or a judge."

In line 51, strike "(4)" and insert "(3)" in lieu thereof

In Line 50, strike "E" and insert "D" in lieu thereof